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DATE: Jan	uary 14, 2003	HO3I	-
PTO IDENTIFIE	20 4745 272 0 6 #0400	CENTER 1600/290	JAN 3
Inventor: C	noi et al.	<del></del>	-
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MESSAGE TO	: Group 1600 Customer Service Center	0/2	윤
FAX NUMBER	: (703) 746-9195	<u> </u>	
FROM: L	in J. Hymel, Reg. No. 45,414		
	luman Genome Sciences, Inc.		
	301) 251-6015		
Attorney Dkt.	#: PB340P2C2		
PAGES (inclu	ding Cover Sheet):7		
CONTENTS:	1. Fax Cover Sheet (1 page);		
	2. Third Request for Corrected Filing Receipt (2 pages);		
	<ol> <li>Copy of Replacement Filing Receipt with correction not (2 pages);</li> </ol>	ed there	eon
	4. Copy of PTO date-stamped posting itemizing each eleminstant application as filed (1 page); and	ent of t	he
	5. Certificate of Transmission (1 page).		
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Human Genome Sciences, Inc.

9410 Key West Avenue, Rockville, Maryland 20850 Telephone: (301) 610-5790 Facsimile: (301) 309-8439

VIA FAX (703 746-9195) TO GROUP 1600 CUSTOMER SERVICE CENTER JANUARY 14, 2003

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Docket No.: PB340P2C2 🐣

Choi et al.

Application No.: 09/765,272

Group Art Unit: 1645

Filed: January 22, 2001

Examiner: P. Duffy

For: Streptococcus pneumoniae Antigens and

Vaccines

## THIRD REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents Washington, DC 20231

Dear Sir:

Applicants respectfully request a corrected Filing Receipt be issued which indicates that neither a Request for Non-publication nor a Request for Early Publication was filed in the above-listed application.

Applicants note that the Official Filing Receipt mailed August 7, 2002, was correct in all particulars. Applicants received a Replacement Filing Receipt, mailed August 22, 2002, which incorrectly indicated that Applicants filed a Request for Early Publication. Applicants have not filed a Request for Early Publication. Applicants requested by facsimile transmission on September 4, 2002 that the Replacement Filing Receipt be corrected. Applicants then received a Response to Request for Corrected Filing Receipt, mailed November 6, 2002, which states that the PTO is "unable to comply with the request" for correction of the Filing Receipt because the "request for non-publication was not timely filed." However, Applicants did not file a Request for Non-publication or a Request for Early Publication with the instant application. On

Application No.: 09/765,272

Docket No.: PB340P2C2

November 14, 2002, Applicants filed a Second Request for Corrected Filing Receipt by facsimile transmission. No response to that request has been received.

Because Applicants did not file either a Request for Non-publication or a Request for Early Publication, Applicants believe that the Response to Request for Corrected Filing Receipt was issued in error. Therefore, Applicants again request that a Corrected Filing Receipt be issued which indicates that neither a Request for Non-Publication nor a Request for Early Publication has been filed for the instant application.

In support of the above request, Applicants attach a copy of Replacement Filing Receipt with the requested correction noted thereon. Applicants also attach a copy of the PTO date-stamped postcard evidencing receipt of the application by the Patent and Trademark Office. The postcard itemizes each element of the instant application as filed. Applicants point out that said PTO date-stamped postcard does not list either a Request for Early Publication or a Request for Non-publication as part of the application package. Applicants therefore request that a corrected Filing Receipt be issued and mailed to Applicants.

No fee is believed due for this submission. In the event that a fee is required in connection with this submission, please charge the required fee to Deposit Account No. 08-3425.

Dated: January 14, 2002

Respectfully submitted,

Lin I Hymel

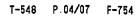
Registration No.: 45,414

HUMAN GENOME SCIENCES, INC.

9410 Key West Avenue Rockville, Maryland 20850

(301) 251-6015

KKH/MJH/LJH/ba





## United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 nnw.usp10.gov

TOT CLAIMS IND CLAIMS FIL FEE REC'D ATTY DOCKET NO DRAWINGS GRP ART UNIT FILING DATE APPLICATION NUMBER 968 PB340P2C2 1645 01/22/2001 09/765,272

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CONFIRMATION NO. 9690 REPLACEMENT FILING RECEIPT 

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000022195 HUMAN GENOME SCIENCES 9410 KEY WEST AVENUE ROCKVILLE, MD 20850

Date Mailed: 08/22/2002

Receipt is acknowledged of this nonprovisional Patent Application, it will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

Gil H. Choi, Rockville, MD; Charles A. Kunsch, Norcross, GA; Steven C. Barash, Rockville, MD, Patrick J. Dillon, Carlsbad, CA: Brian Dougherty, Killingworth, CT; Michael R Fannon, Silver Spring, MD; Craig A. Rosen, Laytonsville, MD;

### Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 08/961,083 10/30/1997 WHICH CLAIMS BENEFIT OF 60/029,960 10/31/1996

### Foreign Applications

If Required, Foreign Filing License Granted 08/07/2001

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: Yes No.

Title

Streptococcus pneumoniae antigens and vaccines

**Preliminary Class** 

435

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### HUMAN GENOME SCIENCES, INC.

Applicants: Choi et al.

Docket No.: PB340P2C2

Application No.: To be assigned

Filed: January 22, 2001

Title: Streptococcus pneumoniae Antigens and Vaccines

## Documents Filed Via Hand Delivery on January 22, 2001

Postcard(s) (2);

Utility Patent Application Transmittal;

3. Fee Transmittal Sheet w/appropr. fee (in dupl.);

Application Data Sheet (2 pages);

Specification (388 pages, including 110 pages specification description. [pp 1-110]; 274 pages sequence listing [pp 111-384]; 3 pages of 21 claims [pp 385-387], and I page abstract [pg 388];

6. Request Under 37 C.F.R. § 1.821(e); and

7. Copies of Declarations from parent application Senal No. 08/961,083 (in five counterparts; 15 pages)

KKH/ba

Atm: Legal Department

Jan-14-03 10:25am From-HGS PATENT DEPT

PTO/SB/97 (12-97)

Approved for use through 9/30/00 OMB 0651-0031

Patent and Tragemark Office, U.S. DEPARTMENT OF COMMERCE

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